

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Midland Funding, LLC,

Case No. 3:08-CV-1434

Plaintiff/Counter-Defendant,

vs.

Judge David A. Katz

Andrea L. Brent, *et al.*

Defendant/Counter Claimant

vs.

Midland Credit Management, Inc.

**ANDREA BRENT, DEFENDANT/COUNTER-CLAIMANT'S REPLY TO  
NOTICE OF MEDIATION STATUS**

Counsel for Defendant/Counter-Claimant, Andrea Brent (“Brent”), have reviewed the response to Brent’s Notice of Mediation Status filed by Midland Funding LLC and Midland Credit Management, Inc. (collectively “Midland”) on November 4, 2009 (ECF Dkt. # 58). None of the statements made by Midland in this Response are incorrect.

The parties met and attempted mediation with the Honorable Richard McQuade on October 29, 2009. Mediation was not then successful, but it is possible that this case may be successfully mediated in the future. As stated by Midland, another mediation session is scheduled for December 8, 2009.

In the meantime, counsel for Midland and Brent discussed and agreed that litigation of the case could proceed, with mediation continuing as a parallel process. Class certification is just one of the issues that will need to be resolved as this case continues. We understand, of course, that Midland has the right to file other motions,

including those which are listed as contemplated by Midland in its Response. Brent emphasizes that she is ready to proceed with this case on all fronts.

Respectfully submitted,

/s/Dennis E. Murray, Sr.

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**CERTIFICATION**

This is to certify that a copy of the foregoing Defendant/Counter Claimant's Reply to Notice of Mediation Status was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic system. Parties may access the filing through the Court's system on this 6<sup>th</sup> day of November, 2009.

*/s/Dennis E. Murray, Sr.*  
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